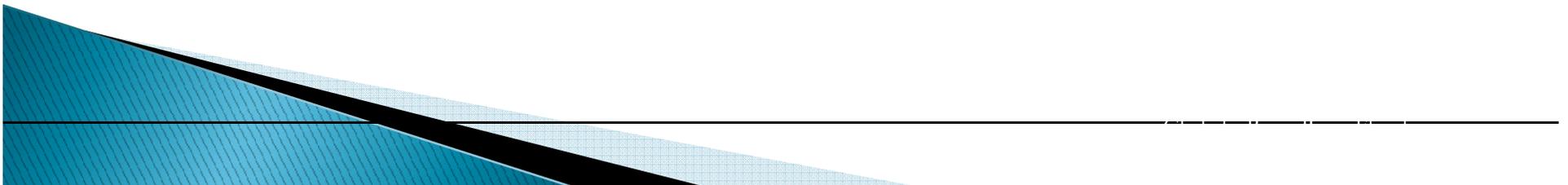


CHEHALIS
RIVER BASIN

FLOOD AUTHORITY

Multi-County Flood Control Zone District Legislation
September 16, 2010

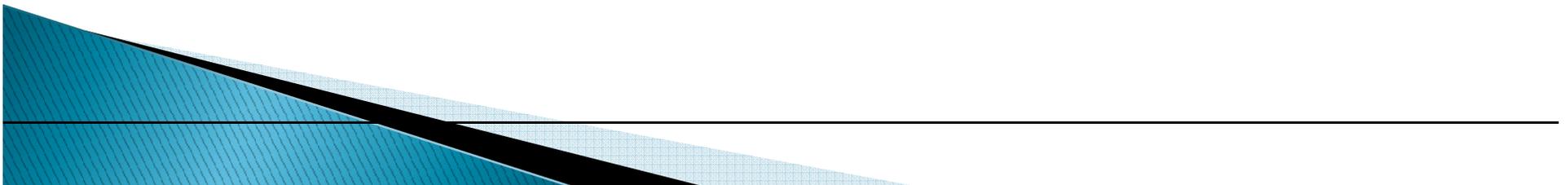


Multi-County Zone Formation

Under the draft legislation, counties would have the authority to form a multi-county flood control zone district (“multi-county zone”) with specified boundaries if each county legislative authority approves a formation agreement by resolution.

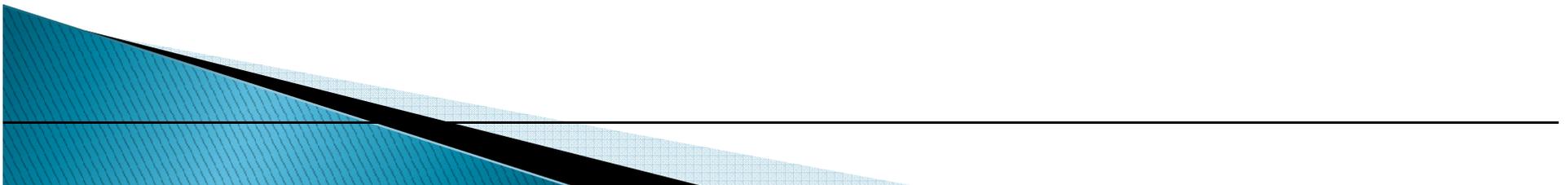
▶ Boundaries

- May include territory within two or more counties.
- Must generally follow boundaries of watershed area.
- May include tribal reservation land located within watershed area with tribal approval.
- May overlap other zones, but ad valorem property taxes will require an approving resolution from both zones.



Multi-County Zone Formation Resolution

- Each county must approve the formation agreement by resolution.
- A public hearing is required.
- The formation agreement must be approved within 30 days of the hearing.



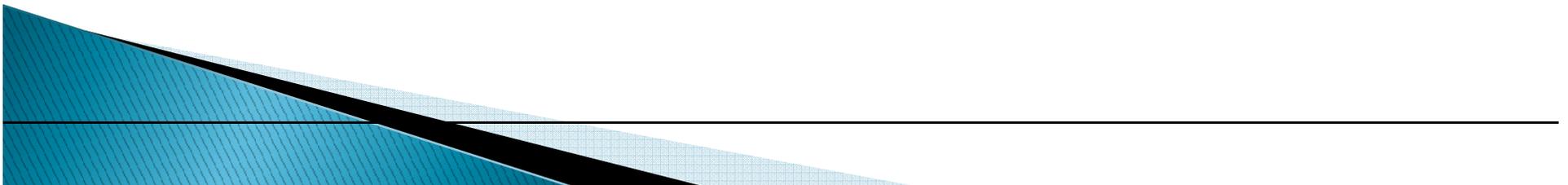
Multi-County Zone Agreement Elements

- ▶ The counties participating must approve a formation agreement that includes the following details :
 - The boundaries of the multi-county zone.
 - The general flood control needs of the multi-county zone.
 - The number, manner and make-up of the multi-county zone's board of supervisors
 - The treasurer of the multi-county zone (must be a treasurer of a participating county).
 - The engineer of the multi-county zone (must be an engineer of a participating county or can be hired by the multi-county zone supervisors).
 - Whether the participating counties will establish an advisory board, and how.
 - The time at which the supervisors will adopt an annual budget.
 - Formation agreement may be later amended or new territory included within the multi-county zone upon agreement of the legislative authorities of counties within the multi-county zone.



Multi-County Zone Board of Supervisors

- ▶ The board of supervisors of a multi-county zone will consist of the number of members provided in the formation agreement.
- ▶ Supervisors' actions will be taken as set forth in the agreement.
- ▶ The formation agreement determines:
 - 1) Whether the legislative authority of each county will appoint a supervisor or supervisors to the multi-county zone.
 - Appointed supervisors shall serve at the pleasure of the legislative authorities that appointed such supervisor and members of the county legislative authority may or may not serve as a supervisor.



Multi-County Zone Board of Supervisors (Cont.)

- 2) Whether the voters in the multi-county zone will elect supervisors at the next general election or at any special election.
 - Supervisors may be elected at large or from supervisor districts with substantially equal number of voters.
 - Terms determined under formation agreement.
- 3) Whether the board of supervisors will include an additional appointed member and/or a member appointed by on or more Indian tribes.
 - The formation agreement may provide for an additional supervisor, that may be appointed by the Governor, if provided in the formation agreement.
 - The formation agreement may provide for a supervisor appointed by any participating Indian tribe.



Multi-County Zone Administration

- ▶ Zone treasurer
 - Formation agreement designates a multi-county zone treasurer who must be the treasurer of a participating county.

- ▶ Zone engineer
 - Formation agreement will designate a multi-county zone engineer who must be the engineer of a participating county.
 - Zone engineer will perform all duties otherwise required under RCW 86.15.060.
 - Supervisors may also hire an engineer or hire other multi-county zone administrators.

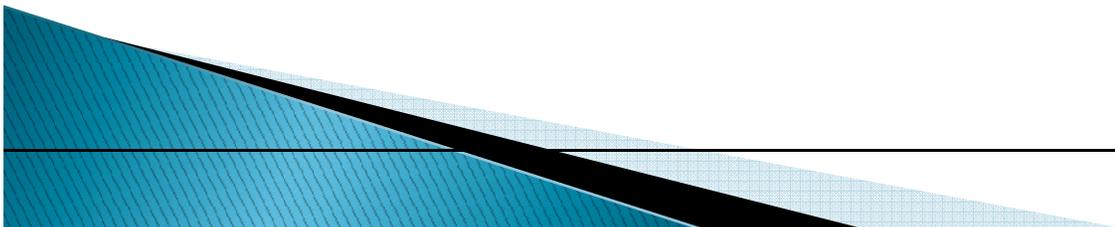
- ▶ Advisory committees
 - Formation agreement will determine the make-up of any advisory committee.

- ▶ Budget
 - Formation agreement will determine the manner in which the multi-county zone supervisor will adopt an annual budget.



Multi-County Zone Powers

- ▶ A multi-county zone has all FCZD powers including:
 - Exercise all the powers and immunities vested in a county for flood water or storm water control purposes, including the power of eminent domain and all other powers under RCW 86.15.080.
 - Impose voted or nonvoted annual ad valorem tax levies within the zone. Non-voted tax levy can no exceed fifty cents per thousand dollars of assessed value (RCW 86.15.160)
 - Issue voted or non-voted general obligation bonds. General obligation debt is limited to $3/4^{\text{th}}$ of 1% of the value of the taxable property within the multi-county zone. (RCW 86.15.170)
 - Impose an assessment upon property specially benefited by flood control improvements or a charge for the furnishing of services (RCW 86.15.160 and RCW 86.15.176).
 - Issue revenue bonds pursuant to chapter 36.67 RCW (RCW 86.15.178).



Multi-County Zone Conversion and Withdrawal

▶ Conversion

- An existing zone can convert into a multi-county zone if it:
 - Enters into an agreement with zones in other counties that materially complies with the requirements of the new legislation.
 - Legislative authorities of counties approve such conversion by resolution.
 - The formation agreement and resolutions provide that all rights and obligations of the zone formally existing under chapter 86.15 RCW shall become the obligations of the new multi-county zone.

▶ Withdrawal

- The legislative authority of a participating county may withdraw from a multi-county zone if it:
 - Adopts a resolution after a public hearing.
 - Does not impair any indebtedness of the multi-county zone.
 - Is not prohibited from withdrawing under any contract or bond covenant.
 - Continues to levy and collect all necessary taxes and assessments until multi-county debts are retired.

